

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***

**AMENDMENT TO NT PLANNING SCHEME**

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 25(2)(c) of the *Planning Act*:

- (a) alter the proposal to amend the NT Planning Scheme numbered PA2008/0852 in accordance with the Schedule to this instrument; and
- (b) amend the NT Planning Scheme in accordance with the altered proposal.

Dated 28 October 2009



Minister for Planning and Lands

**SCHEDULE**

**AMENDMENT TO NT PLANNING SCHEME**

**AMENDMENT No. 70**

**(a) Citation**

This amendment to the NT Planning Scheme may be cited as Amendment No. 70.

**2. Definitions**

In this amendment –

"amending map" means the map, signed by the Minister for Planning and Lands and marked "NT Planning Scheme Amendment No. 70", deposited in the office of the Department of Planning and Infrastructure, Darwin;

"zoning map" means the zoning map within the meaning of the NT Planning Scheme.

### 3. Amendment of zoning map

The NT Planning Scheme is amended by:

- (a) amending the zoning map relating to Darwin to the extent of its inconsistency with the amending map in respect of the area of land shown on the amending map bounded by a thick black line and lettered SD23 (Specific use Darwin No.23), which is part Lot 9737 Town of Nightcliff (Lee Point Road, Lee Point).
- (b) amending schedule 1 to clause 2.4 – Specific uses to include the following table:

SD 23

Part Lot 9737 Lee Point Road, Town of Nightcliff.

1. The purpose of this zone is to facilitate the subdivision, use and development of the land as a residential estate that provides for housing choice through a range of lot sizes and housing types.
2. Development Design Philosophy  
Any subdivision and future development is expected to be designed to respond to Darwin's tropical climate and lifestyle attributes. This includes, but is not limited to, adherence to the following design principles:
  - (a) lot patterns which are best suited to catching prevailing breezes;
  - (b) local streets which include a single carriageway with footprints which enable groupings of large street trees in public space and smaller trees in front yards;
  - (c) lots and dwellings sited so as to have sufficient area to provide for the dwellings, vehicle access, parking and ancillary structures;
  - (d) the inclusion and adaptation of porches and decks as living spaces which are designed to encourage activation of and overlooking of streets and public spaces;
  - (e) a mix of heavy and lightweight elements in the front façade of the building;
  - (f) breezeway separations between buildings and the inclusion of side yard spaces; and
  - (g) housing which promotes cross ventilation through building orientation and layout, with extended roofs and overhangs for additional shade and weather protection.
3. With **consent** land within this zone may be developed for the purpose of a subdivision if:
  - (a) the development application to subdivide the land is accompanied by a drawing indicating the proposed land use of each lot and that drawing forms part of any development permit for subdivision.
  - (b) the subdivision design incorporates a predominantly grassed strip with a width of not less than 100 metres along the eastern boundary of the zone. The strip will form a part of a 1 kilometre buffer to the biting insect breeding areas of Buffalo Creek.
  - (c) The subdivision design ensures no residential development is proposed within 700 metres of the primary settlement ponds of the sewage treatment plant.

- (d) the overall subdivision design includes the following open spaces:
    - i. one or more east-west parks and open space corridors generally linked to the Lyons central park and open space corridor, incorporating stormwater drainage systems that are appropriate for Darwin's climate;
    - ii. subject to the requirements of local government and service authorities, an open space link along Lee Point Road; and
    - iii. a vegetated visual screen no less than 20 metres wide along and abutting the northern boundary of Fitzmaurice Drive.
  - (e) the overall subdivision design includes provision for a future road corridor not less than 30 metres wide, generally along the eastern boundary of the zone.
4. The purpose of this paragraph is to ensure residential subdivisions contain lots of a size, configuration and orientation suitable for residential purposes.
- The overall subdivision design should:
- (a) ensure the average number of dwelling units per hectare does not exceed 10 across the area of the Zone defined as the area of the site:
    - i. less the area of the grassland strip required by paragraph 3(b),
    - ii. less the area of the odour buffer required by paragraph 3(c), and
    - iii. less the area of the future road corridor required by paragraph 3(e).
  - (b) not include any lot with an area of less than 450m<sup>2</sup>;
  - (c) include a dominant lot size of between 500m<sup>2</sup> and 700m<sup>2</sup>;
  - (d) ensure lots are generally square in shape, with a minimum frontage of 18 metres, unless a lot is of an irregular shape or truncated;
  - (e) provide a street layout which is generally orientated within 30 degrees of North;
  - (f) ensure that no lot, that has greater than 80% of its area within the biting insect buffer, has an area of less than 4000m<sup>2</sup>;
  - (g) not include more than 20% of all dwellings as **multiple dwellings**;
  - (h) ensure that lots for **multiple dwellings** are distributed in a manner to enable servicing by public transport and be located in close proximity to public open space and / or community facilities; and
5. Without **consent** a lot may be developed for the purpose of:
- (a) **dependant unit**;
  - (b) display home;
  - (c) **group home**;
  - (d) **home based contracting**;
  - (e) **home occupation**; and
  - (f) **single dwelling**.
- Development for a purpose specified in this paragraph is subject to the relevant clauses of this scheme as if the land were in Zone SD.
- If a development specified in this paragraph does not comply with the requirements of this paragraph it shall be permitted only with **consent**.

6. With **consent** a lot may be developed for the purpose of:

- (a) **bed and breakfast accommodation;**
- (b) **community centre;**
- (c) **home based childcare centre;**
- (d) **medical consulting rooms;**
- (e) **supporting accommodation;** and
- (f) temporary sales office.

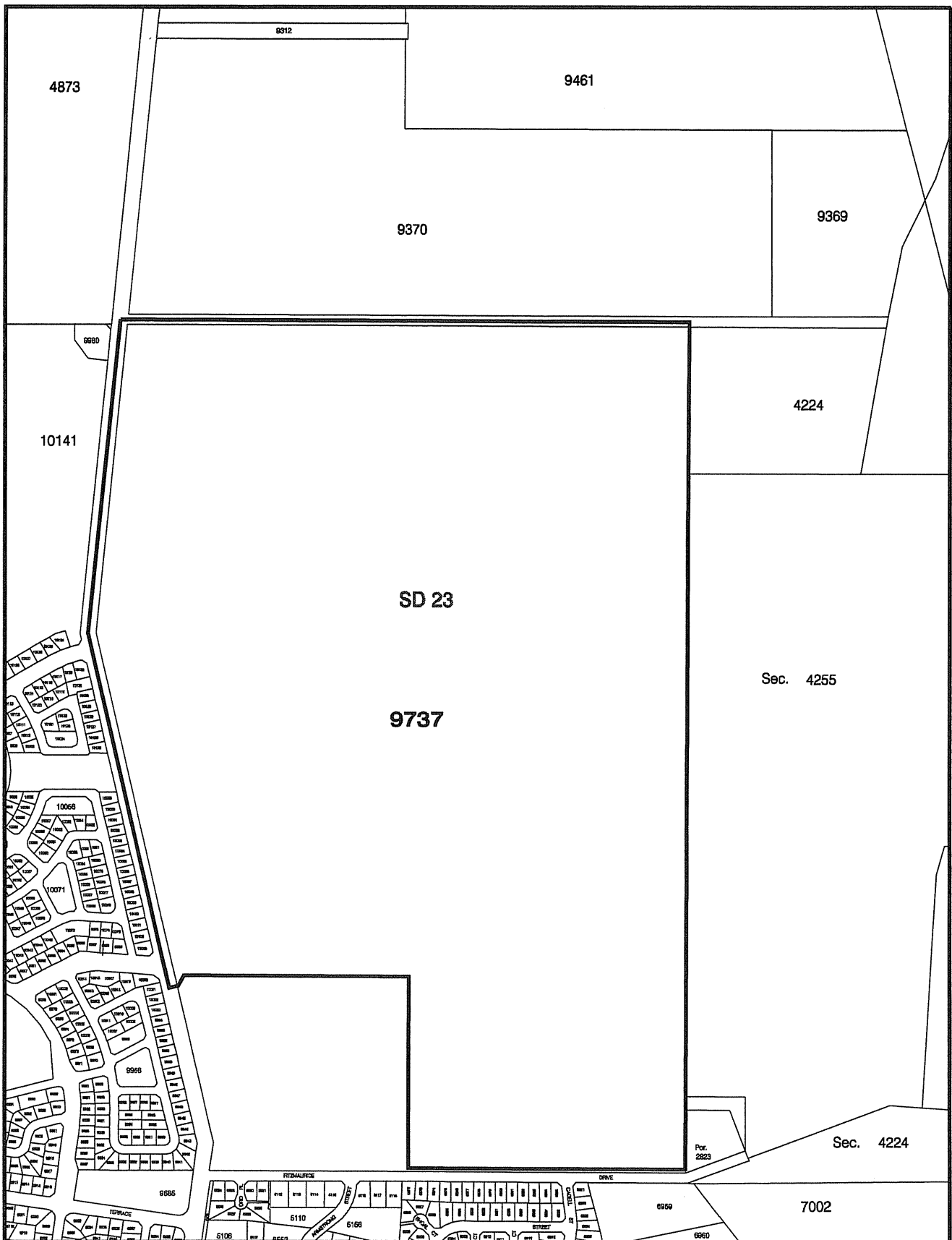
Development for a purpose specified in this paragraph is subject to the relevant clauses of this scheme as if the land were in Zone SD.

7. With **consent** a lot may be developed for the purpose of **multiple dwellings** subject to all the relevant clauses of this scheme as if the land were in Zone MD.

The consent authority may **consent** to the development of a lot for the purpose of **multiple dwellings** only where it has been identified for **multiple dwellings** on the land use drawing endorsed under paragraph 3.

8. With **consent** a lot may be developed for purposes consistent with Zone CP, where the lot has been identified for community purposes on the land use drawing endorsed under paragraph 3, and subject to all the relevant clauses of this scheme as if the land were in Zone CP.

9. With **consent** a lot may be developed for purposes consistent with Zone C, where the lot has been identified for commercial purposes on the land use drawing endorsed under paragraph 3, and subject to all the relevant clauses of this scheme as if the land were in Zone C.



**NT PLANNING SCHEME  
AMENDMENT No. 70  
PART LOT 9737, TOWN OF NIGHTCLIFF**

**MINISTER FOR PLANNING AND LANDS**

Date 28/10/09



**Northern Territory Government**  
Department of Planning and Infrastructure

0 100 200 300 400 500 600m

Scale 1: 10,000

File No. : PA 2008/0852

Date: 6/10/2008

Drawing Name: z/Drafting/darwin/PSA Lee point Rd 9369-9370.dgn

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**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME  
AMENDMENT No. 70**

**DARWIN LOCALITY**

I, DELIA PHOEBE LAWRIE, the Minister for Planning and Lands, under section 28(1) of the *Planning Act*, give notice that –

- (a) I have, under section 25 of the Act, amended the NT Planning Scheme by adding new Specific Use SD23 (Specific use Darwin No.23) to Schedule 1 to Clause 2.4 - Specific Uses ; and
- (b) copies of the amendment (Amendment No. 70) are available from the Offices of the Department of Planning and Infrastructure, Ground floor, Cavenagh House, 38 Cavenagh Street, Darwin.

Dated 28 October 2009



Minister for Planning and Lands

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***  
**Section 29**

**Reasons for Decision**

**NT PLANNING SCHEME AMENDMENT**  
**AMENDMENT No. 70**

The amendment as altered to add Zone SD23 (Specific use Darwin No.23) to Clause 2.4 of the NT Planning Scheme will facilitate the development of the future residential suburb of Muirhead, and assist to meet housing demand and the provision of affordable housing.

The alterations to the amendment resolve or address concerns raised by submitters and the Development Consent Authority in particular Lot 9369 will be retained within its current Public Open Space zoning.

The mixture of lot sizes and the opportunities for multiple dwelling developments throughout the site will assist in the delivery of affordable housing outcomes.



**DELIA PHOEBE LAWRIE**  
Minister for Planning and Lands

28, 10 /2009